

**OREGON TRANSPORTATION COMMISSION**

**Minutes of the Regular Monthly Meeting  
August 24-25, 2010  
Hermiston, OR**

On Tuesday, August 24, at 6:00 p.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff met for dinner at Farmer's Kitchen, 920 Southeast 4<sup>th</sup> Street, Hermiston, OR. On Wednesday, August 25<sup>th</sup>, at 8:30 a.m., the OTC and ODOT staff held a briefing session and reviewed the agenda in the Great Room at the Hermiston Conference Center, 451 S. Highway 395, Hermiston, Oregon. The regular monthly meeting began at 9:00 a.m. in the same room.

Notice of these meetings was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meetings included:

Chair Gail Achterman  
Vice Chair Michael Nelson  
Commissioner David Lohman  
Commissioner Alan Brown  
Commissioner Mary Olson  
Director Matthew Garrett  
Chief of Staff Joan Plank  
Int. Deputy Director of Operations, Jerri Bohard  
Communications Division Admin. Patrick Cooney

Government Relations Mgr. Robin Freeman  
Innovative Partnership Program Mgr. Jim Whitty  
Public Transit Administrator Michael Ward  
Int. Highway Division Administrator Paul Mather  
Region 5 Manager Monte Grove  
Eastern Area Manager Frank Reading  
DOJ Sr. General Counsel Dale Hormann  
Commission Assistant Amy Merckling

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Chair Achterman called the meeting to order at 9:18 a.m.

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**Director's Report:**

---This month, the Rail Division will be releasing the *Oregon Rail Study*, which was requested by 2007 legislature to better understand the rail network in Oregon. Unlike highways and transit systems, railroads are mostly privately owned and operated. Although the rail system is key to Oregon's transportation system, its issues, challenges and opportunities are not widely understood. The *Oregon Rail Study* is a summary of 13 individual technical reports commissioned by ODOT over the last two years. The studies are wide-ranging and designed to inform policy makers how the rail system in Oregon is being used, how it might be used in the future, and to provide a foundation for strategic investments in the state's rail system. The *Oregon Rail Study* includes an infrastructure assessment of Oregon's short-line railroads, analyses of the state's freight rail industry, an assessment of expanding intercity and commuter passenger rail services, rail industry trends and mitigation strategies, identification of potential funding sources and strategies, return on investment measures, and an examination of the role for state ownership of rail services.

It is important to understand that this report is an assessment of the rail system, not a "plan." The study does not recommend or prioritize investments, but rather provides a foundation of facts and options for consideration. This study will serve as the basis for updating the 2001 *Oregon Rail Plan* and contribute to other state, regional and local planning efforts. The department will bring a full briefing of the Oregon Rail Study to the OTC at the October OTC workshop.

---AASHTO's Subcommittee on Design, Region 4 awarded the 2010 Regional Award to Kent Belleque for his outstanding work for the Technical Committee on Geometric Design as it produced the latest update to the "Green Book". Mr. Belleque was nominated by his peers from other states that recognized the work that he provided to the group. Oregon has not had a winner of this regional award since Wayne Cobine in 1992 and Duane Christianson in 1990.

---DMV has managed a telephone call center at Coffee Creek Correctional Facility (formerly Oregon Women's Correctional Center) for 23 years. It typically handles over 1 million calls per-year, provide excellent customer service to Oregonians, and frees up our field office employees to work directly with customers without the interruption of telephone calls throughout the day. However, keeping the staffing level at a constant 40-50 people had become problematic, and the snow/ice storm of 2008 revealed how dependent we were on one facility that could be closed for extended periods of time due to weather or other interruptions. Consequently, last fall DMV initiated in a pilot program at the Oregon State Correctional Institution (OSCI) to work toward the staffing level needed to meet call volumes and desired wait times.

At the opening ceremony at OSCI in January this year, DMV Administrator Tom McClellan addressed the 10 male offenders who had completed the training regime and were preparing to "go live" with answering customer calls. He congratulated them for completing a rigorous selection and training program, but also told them that the success of the pilot rested upon their shoulders. He told them candidly that some people didn't think male offenders would have the patience and social skills to deal with callers who are sometimes aggressive, condescending, and rude. They'd questioned their work ethic and their ability to answer a complex set of questions with accurate information.

Mr. McClellan acknowledged that the agency was taking a big risk in convening the pilot program. He indicated that their success in completing the training program, along with top-notch staff overseeing their work, had given him reason to believe they would succeed. But he reinforced that the success or failure of the pilot was up to them. They would either build a foundation for developing a thriving call center, or the pilot would be cancelled, and equipment removed from the facility.

On July 9th, Mr. McClellan returned to OSCI and announced the pilot a success and welcomed a new cohort of telephone agents who'd just completed the same training program (with mentoring by members of the first cohort). With a certificate and a handshake, each person was called up to the front of the room to be recognized with

applause. Afterward, several from the first cohort spoke proudly about their accomplishments and reminded him of what he said in January. They'd kept the challenge in mind since January, and were motivated to keep their jobs working for DMV. Their questions about "how are we doing?" and "does Mr. McClellan know?" during the first six months were because they took the responsibility seriously.

They were happy to know that Mr. McClellan was pleased with their performance, and also that another set of highly qualified people had been added to their group. The OSCI Call Center now operates with 14 telephone agents and handled over 95,000 customer calls from January through July 2010.

This is an example of how the agency touches different people in different ways.



Public comments were received from: None



Interim Deputy Director of Operations Jerri Bohard request approval of the following actions regarding *ConnectOregon III* and *ConnectOregon III Rural Airport* project selection as recommended by Oregon Department of Transportation (ODOT) and Oregon Board of Aviation staff. (*Background materials in General Files, Salem*)

The staff report reflects the recommendation of 41 projects selected by the Final Review Committee and the 57 projects brought forward by the Board of Aviation for the Rural Airport component of the *ConnectOregon III* process. Requested actions:

- Select as "Approved Projects" the *ConnectOregon III* Final Review Committee recommended prioritized projects, Nos. 1 through 41 to receive funding (Attachment A). The Final Review Committee recommended \$94.5 million in project funding and administrative fees plus \$2,638,884 in unspent *ConnectOregon* funds to be used to totally fund all 41 projects.
- Select as "Approved Projects" the Oregon Board of Aviation's recommended 57 prioritized projects, ranked one through seven, to receive funding (Attachment B). House Bill 2001 allocated \$5 million in Rural Airport funding. The Board of Aviation recommended \$4,478,452 in project funding and administrative expense.
- Allocate the balance of \$271,548 from the \$5 million Rural Airports allocation to a second round of Rural Airport applications in 2011.
- Require each of the 98 applicants for projects contained in Attachments A and B to sign grant agreements with ODOT within 180 days of the selection of "Approved Projects" for funding. By entering into a grant agreement with ODOT, each applicant agrees to the basic terms and conditions of the agreement, any stated special conditions, as well as the project milestones.

- If for any reason, a grant agreement with ODOT is not entered into within the prescribed 180 days, or if funds allocated to an Approved Project are not dispersed or are returned to ODOT for any reason, the Oregon Transportation Commission (OTC) will consider and may select "Replacement Projects" for subsequent assignment of the funds. In the case of Rural Airport projects, the funds will be held for a second round of applications for Rural Airport projects receiving Federal Grants as prescribed in Oregon Administrative Rule (OAR) 731-035-0040(3) and OAR 731-035-0060(12).
- The OTC may select a "Replacement Project" that is appropriate for the funds available (OAR 731-035-0070(2)) from the Final Review Committee's prioritized report. To determine the project that is most appropriate, the OTC will consider the minimum regional allocation requirement, project priority order, amount of funds available, project timelines, or other project-related information.

The report also highlighted specific projects the Commission had requested additional information about at the last meeting.

If the recommended action is taken, department staff will work with each of the applicants to negotiate intergovernmental agreements with the specific terms and conditions of the particular award. At the end of six months, if it is found that the intergovernmental agreement or other pieces have not come together on a particular project, it will be brought back to the Commission to reallocate the remaining funds. Reallocation of those funds would most likely be limited to projects in the *ConnectOregon III*, unless the Commission chose to do another selection process.

#### **Public Comment:**

--Aurora Airport Chief Corporate Pilot, and President of PAAM (Positive Aurora Airport Management) Larry Brons noted that the safety aspect of air traffic at the airport has become an issue with the increased volume and diversity of aircraft using the airport. PAAM supports funding for the control tower to help smooth the flow and mix of traffic into the Aurora airport.

-- Southend Airpark Owner and PAAM member Ted Millar spoke in favor of the control tower.

-- Metal Innovations Inc. Owner Craig Wilmes spoke in support of the control tower as a critical element of the economic development of the community.

--State Aviation Board Vice-Chair Chris Corich said the board supports the control tower for all the reasons stated by the previous speakers.

--Don Munkers from the City of Burns spoke in support of the fire suppression system for the Burns Municipal Airport.

Commissioner Olson moved to approve the Second Revised Agenda C item of selected *ConnectOregon* III projects as outlined by the staff recommendations. Commission members unanimously approved the motion.



The Commission received a request for approval of the 2011 Oregon Traffic Safety Performance Plan, and authorization of the Transportation Safety Division Administrator to sign necessary agreements to carry out projects in the safety program. Jerri Bohard and Oregon Transportation Safety Committee Chair Mike Laverty presented the request. (*Background materials in General Files, Salem*)

Mike Laverty presented the 2011 Oregon Traffic Safety Performance Plan to the Commission. The Governor's Advisory Committee on DUII, and the Governor's Advisory Committee on Motorcycle Safety endorsed the plan on July 9, 2010. The Oregon Transportation Safety Committee approved the plan on July 13, 2010. He highlighted two topical areas of the plan, the Drivers Education Program and the Impaired Driving Program.

Oregon is considered one of the premier Driver Safety Programs in the nation and worldwide.

Commissioner Brown moved to approve The Transportation Safety Plan and give authorization to the Safety Division Administrator to sign agreements. Commission members unanimously passed the motion.



The Commission received an informational update on the Oregon Department of Transportation's Solar Highway Projects from Innovative Partnership Program Manager Jim Whitty. (*Background materials in General Files, Salem*)

The Solar Highway I-5/I205 Interchange demonstration project was completed in December 2008. The OTC then authorized the Office of Innovative Partnership Programs (OIPP) to pursue solar energy projects to fulfill direction from the Governor and the Commission's strategic plan.

The Federal Highway Administration (FHA) awarded the Oregon Solar Highway its *Judges' Award for Special Recognition* at the 2009 Biennial Environmental Excellence Awards. The award stated that FHA recognized that Oregon's solar highway initiative demonstrates that solar arrays will complement, and not compromise, the transportation system, and can thus be employed throughout the nation.

Two projects are close to going forward; an expansion of the demonstration project to add 154 kW to the existing solar power generated system, and the new 1.5 to 1.6 MW

Baldock Rest Area (North) system. A statewide solar site search is targeted for completion by January 2011.

Public/private partnerships were reviewed.

Energy Trust of Oregon's funding decision should be completed in September, and project costs and financing budgets established. Once the state review is complete and solar site and financial institution agreements are signed, groundbreaking on the new project and expansion will occur in October. The projects are expected to be completed in April 2011.



Jerri Bohard and Public Transit Division Administrator Michael Ward requested approval of the criteria for the Flexible Funds Program for the 2010-2011 funding cycle.  
*(Background materials in General Files, Salem)*

Michael Ward gave a brief background and update of the process the Flexible Funds Advisory Committee used for setting criteria for the Flexible Funds Program.

Public comments were received from:

--Statewide Advocate for the Bicycle Transportation Alliance (BTA) Susan Peithman spoke in support of the proposed criteria and asked the Commission to increase the grant maximum from \$1 million to \$3 million to allow for imperative active transportation connections, such as pedestrian and bicycle bridges. Integrating health into the transportation system is an important component, and should be highlighted as criteria.

--Historic Columbia River Highway Advisory Committee member Marc Berry introduced Vice-Chair of the Historic Columbia River Highway Advisory Committee Wayne Stewart who said the committee agrees with the proposed criteria, with the exception of one concern which is the proposed upper limit on the funding of \$1 million. Funding levels need to reflect the true cost of facility development in reasonable lengths and \$1 million increments aren't feasible. The committee asked the Commission to consider adjusting the funding range to include a maximum project cost to \$4 million, or 10% of the total amount available, whichever is less.

The Commission discussed adjustment of the funding range, and agreed it was most comfortable with 10% of the total (\$2.1 million) as the maximum, as opposed to the staff recommendation of \$1 million.

Commissioner Lohman said not enough is being done on transportation demand, and we need more capability to help the various regions of the state that don't have enough to address transportation demand management. ODOT does not have the capacity in-house to help the regions, and he hopes to see a project competing that comes from the

department concerning enhancing its TDM capabilities to help the rest of the state with its transportation demand management.

Commissioner Lohman addressed clarification on a few points mentioned in a letter from Metro.

Commissioner Olson moved to adopt the criteria with the revision to the threshold and the wording. Commission members unanimously approved the motion.



The OTC, ODOT, and members of the Northeast Area Commission on Transportation (NEACT) discussed and consider approval of the NEACT updated charter over lunch. *(Background materials in General Files, Salem)*

Chair Achterman started the discussion by saying the OTC appreciates the opportunity to talk to the community leaders that make such a big difference in terms of transportation, across all modes, across the state. This is a chance to hear the needs and opportunities in communities and the region.

Region 5 Manager Monte Grove introduced NEACT Chair and Baker County Commissioner Fred Warner to lead the discussion. Also participating in the discussion was:

- o Frank Reading, ODOT Area Manager
- o Kim Puzey from Umatilla County, NEACT
- o Steve McClure, Union County Commissioner/Judge, NEACT
- o Russ McMartin, Wallowa County Public Works Director, NEACT
- o Terry Tallman, Morrow County Commissioner/Judge, NEACT
- o Casey Beard, Morrow County Public Works
- o Ron McKinnis, Morrow County, NEACT
- o Mike Hayward, Wallowa County Commissioner, NEACT
- o Mary Jo Carpenter, Baker County, NEACT

Fred Warner said there are no additions to the charter. The work plan format has changes slightly, but the essence remains the same. He asked the Commission to approve the NEACT Charter and updated Biennial Report.

Vice-Chair Nelson moved to approve the NEACT charter and updated biennial report. Commission members unanimously approved the motion.

The following comments were noted:

- o Fred Warner expressed his appreciation for the Region 5 staff and the great working relationship with ODOT, from Region 5, all the way up to Director Garrett. ODOT and its staff put a great deal of time to make sure the

transportation issues of Eastern Oregon are carefully looked at and thought about.

- The biggest issue in Eastern Oregon is maintaining the infrastructure. Modernization is not a high priority. Almost all counties are tied to the secure school funding, tied to timber taken off the mountains, which is set to expire in two years and will cut off funding to the road departments. While the governor and the Oregon delegation is working hard to arrive at a compromise to keep the funding, NEACT is looking at ways to fold money from the state into county projects. STIP funds usually connect from a state road to a state road. Without funding for county roads, the current infrastructure can not be maintained.
- The counties in Eastern Oregon would like geographical parity, a level playing field when competing for dollars with metropolitan and high population areas.
- The complex scoring process for OTIA III projects was discussed. A suggestion was made that a step be added for the regional and modal groups to meet when a project has a significant deviation between the regional review and the modal review.
- Tourism has become a major portion of all the counties in NEACT, and road closures and weather have a major impact on the economy, so it's important to keep the transportation open and running.
- Kim Puzey from the Port of Umatilla expressed appreciation for ODOT and its staff like Kelly Taylor and the staff in Region 5. The port is committed to moving as much freight as possible onto the water. With the challenging geography at the Port of Umatilla, some projects have a complexity that are not conducive to the *ConnectOregon* process in terms of the limited amount of time allowed to explain the project. He supports the earlier suggestion that if there is a deviation in the scope, there needs to be an additional conversation about the project.
- Commissioner Steve McClure from Union County complimented ODOT and the Commission on the change in culture that has occurred in the last 20 years, such as the ACTs, which bring locals into the process, versus the old system when an engineer determined what needed to be done without input from the communities affected.
- HB 2001 is in the third initiative referral and he hopes the Commission and legislature go ahead with business, and not let the potential referral stop things already committed.
- The highway system in most of Eastern Oregon is in fairly good shape. The weak part of the transportation system in that region is the counties and cities. The challenge is finding funding to keep the county/city systems together.

- Chair Achterman said many state/district/regional highways act more like county roads than state highways because there is no freight route, and the use is mostly local citizens. Would it be beneficial to a county if ODOT contracted to that county for the maintenance of those roads instead of ODOT doing the work, giving the county a revenue stream to supplement its existing revenue? NEACT would like to have this conversation.
- Morrow County Commissioner, Judge Terry Tallman talked about the chemical depot between Umatilla and Morrow Counties that's nearing the end of its burn, and possible uses for the communications infrastructure there. Emergency Management Director Casey Beard discussed options for the infrastructure that would be beneficial to both the counties and ODOT, and might result in savings.
- Ron McKinnis from Morrow County said the Local Government Section of ODOT has been extremely helpful guiding on the use of federal funds.
- Wallowa County Commissioner Mike Hayward echoed the other comments made about the very good working relationship that exists with Region 5 and ODOT staff. He noted the disparity in gas tax revenue. Gas tax is paid according to the number of vehicles registered in a county. Wallowa County's challenge is its small population trying to support a system that is used by over a million people annually who don't pay any gas tax for the upkeep of those roads. Any new source of money should have a threshold level amount for each county, and then above that, funds for the number of registered vehicles.
- Mary Jo Carpenter from Baker County said her role in NEACT is public transit. She complimented ODOT on its Public Transit staff for being an excellent resource for transit providers. In Region 5, public transit is the lifeline between the smaller communities. The need continues to grow. In fiscal year 2005, public transit provided 57,000 rides. In fiscal year 2010, public transit has provided 95,000 to date, an increase of almost 100 percent.



The Commission considered approval of items on the consent calendar. (*Background materials in General Files, Salem*)

1. Approve the minutes of the July 21, 2010, Commission meeting in Portland.
2. Confirm the next two Commission meeting dates:
  - Wednesday, September 22, 2010, in Salem
  - Tuesday and Wednesday, October 19-20, 2010, annual workshop and meeting in Bend.

3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rules:
  - a. Amendment of 734-020-0310, 0320 and 0330 relating to traffic control signal emergency preemption systems.
  - b. Temporary amendment of 735-040-0098 relating to Fallen Public Safety Officer group plates.
  - c. Amendment of 735-170-0010 and 0020 relating to use fuel handling records and reporting.
5. Approve a request to increase the construction authorization in the amount of \$2,817,436 for additional work on the Oregon 217: Sunset Highway to Tualatin Valley Highway project in Washington County. This will change the construction authorization from \$35,570,121 to \$38,387,557.
6. Approve a request for a jurisdictional transfer of portions of the State Highway System to the City of Portland and advance the Oregon 99W: Naito Jurisdictional Transfer Project from the Draft 2010-2013 Statewide Transportation Improvement Program.
7. Approve a request to expand four existing Sno-Parks: Morning Creek Sno-Park; Idlewild Sno-Park; Ski Bowl West Sno-Park; and Three Lakes Sno-Park and designate one new parking area as Cinnamon Butte Sno-Park.
  - o **Morning Creek Sno-Park:** Located at milepoint 21 on Oregon 204, the Weston-Elgin Highway, in Umatilla County, this expansion incorporates 2.5 acres of parking in the area designated as a Sno-Park.
  - o **Idlewild Sno-Park:** Located at milepoint 53 on U.S. 395, the John Day-Burns Highway, in Harney County, this expansion will incorporate a new entrance into the parking area in place of the existing entrance.
  - o **Ski Bowl West Sno-Park:** Located at milepoint 52 on U.S. 26, the Mt. Hood Highway, in Clackamas County, this expansion will incorporate a new one-acre parking area into the area designated as a Sno-Park.
  - o **Three Lakes Sno-Park:** Located adjacent to milepoint 21 on Oregon 230, the Diamond Lake Highway, in Douglas County, this expansion will increase the Sno-Park by about 0.8-acres and is anticipated to accommodate eight passenger vehicles and eight large vehicles with trailers.
  - o **Cinnamon Butte Sno-Park:** Located on Forest Service Road 4793, adjacent to Oregon 138, the North Umpqua Highway, in Douglas County, this new parking area is about 0.1-acres with a four vehicle capacity. This parking area will provide winter recreationists access to Nordic ski trails.
8. Approve a request to redistribute \$377,175 industrial rail spur funds to the City of Prineville Railway in Crook County.

9. Approve a request to appear at the September 2010 Legislative Emergency Board to seek retroactive approval to submit a National Historic Covered Bridge Preservation Program grant application to the Federal Highway Administration.
10. Approve a request to appear at the September 2010 Legislative Emergency Board to seek retroactive approval to submit a Fuels Tax Evasion Grant to the Federal Highway Administration.
11. Approve a request to appear at the September 2010 Legislative Emergency Board to seek retroactive approval to submit a request to apply for a State of Good Repair Discretionary Grant to the Federal Transit Administration.
12. Approve a request to appear at the September 2010 Legislative Emergency Board to seek retroactive approval to submit a Broadband Technology Opportunities Program Grant Application for the Oregon Wireless Interoperability Network program.
13. Approve a request for the proposed proclamation from Governor Kulongoski for his signature designating the week of October 17-23, 2010 as Oregon Teen Driver Safety Week, in support of National Teen Driver Safety Week as proclaimed by congress.
14. Approve a request to redistribute \$523,900 industrial rail spur funds to the Port of Umatilla in Umatilla, Oregon.
15. Approve a request for a Type A Immediate Opportunity Fund grant for the Port of Umatilla in the amount of \$1,000,000.00 to provide transportation improvements to Beach Access Road and the port certified industrial site.

Vice Chair Nelson moved to approve the Consent Calendar. Commission members unanimously approved the motion.

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Public comments: None.

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Chair Achterman adjourned the meeting at 1:11 pm

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 Gail Achterman, Chairman

  
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 Michael Nelson, Vice Chair



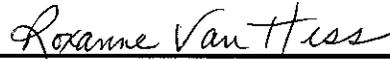
Mary Olson, Member



Alan Brown, Member



David Lohman, Member



Roxanne Van Hess, Commission Support